SUBCHAPTER 1. GENERAL PROVISIONS

7:18-1.1 Scope and authority

(a) - (b). (No change.)

(c) This chapter is adopted pursuant to the following statutes:

1.-4. No change.

5. The Industrial Site Recovery Act, N.J.S.A. 13:1K-6 et seq.; [and]

6. The Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq**; and**

7. The Private Well Testing Act, N.J.S.A. 58:12A-26 et seq.

7:18-1.7 Definitions

The following words and terms, when used in this chapter, shall have the following meanings. If a definition in this section differs from the corresponding definition in any regulation or other document incorporated by reference under N.J.A.C. 7:18-1.5, the definition in the document incorporated by reference shall control.

. . .

"Authorized representative" means a person other than an employee of a certified laboratory from which a certified laboratory accepts drinking water well samples and also accepts responsibility for such samples in accordance with the requirements of N.J.A.C. 7:18-9.1(c).

"Drinking Water Program" means the Department's program implementing the Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq**., and the Private Well Testing Act, N.J.S.A. 58:12A-26 et seq**.

"Dwelling unit" means any building or portion of a building, permanent or temporary in nature, used or to be used as a residence either seasonally or throughout the year.

"48-Hour Rapid Gross Alpha Test" or short term 48 Hour Gross Alpha Test means a test performed in accordance with this Chapter, within 48 hours from sample collection in order to measure the presence of alpha emitting radionuclides in the sample, including the short-lived alpha emitters such as radium-224.

"Local health authority" means a county, regional or municipal health agency that serves as the lead point of contact with the Department on environmental issues. This agency would ordinarily be the CEHA health agency certified pursuant to the County Environmental Health Act, N.J.S.A. 26:3A2-21 et seq. In those counties that do not have a certified local health agency, the local health authority is the agency that serves as the lead for administering the Local Information Networks and Communication System (LINCS) as designated by the Department of Health and Senior Services.

"Point of use treatment device" or "point of delivery treatment device" means a water treatment device applied to a single tap for the purpose of reducing contaminants in drinking water at that one tap.

"Private well" means a potable water well that serves a dwelling unit and is located on the same real property as the dwelling unit.

"Private Well Testing Act" or "PWTA" means P.L. 2001, 0.40; N.J.S.A. 58:12A-26 et seq.

7:18-1.9 Signatories

(a)-(b) (No change.)

(c) Upon written notice from the Department, monitoring results may be submitted to the Department electronically. Prior to submitting data electronically, the laboratory shall register with the Department by accessing the Department's electronic website portal, located at www.njdeponline.com to obtain a Department issued personal identification number (PIN) by printing, completing and signing the authorization form provided at the website and mailing to the Department at the address specified in N.J.A.C. 7:18-1.6(a).

(d) When submitting test results electronically, the laboratory shall:

1. Use the PIN as an electronic signature to certify that all sampling, analysis, and quality control procedures were conducted in accordance with N.J.A.C. 7:18; and

2. Use only the electronic data deliverable formats supplied to the laboratory by the Department.

SUBCHAPTER 2. PROGRAM PROCEDURES AND REQUIREMENTS

7:18-2.4 Categories for certification

(a) An applicant shall apply for certification to perform methods for use in one or more of the following regulatory programs:

1. Drinking Water Program**, including testing and/or sampling conducted for conformance with the PWTA;**

2.-5. (No change.)

(b) (No Change.)

(c) The parameters for which a laboratory may be certified to perform sample analysis and to report results for purposes of determining compliance with the Drinking Water Program are organized within the following categories:

1.- 2. (No change.)

3. Category SDW03: Analyze-Immediately Parameters**, including sampling under the PWTA;**

4.- 8. (No change.)

(d)-(k) (No change.)

7:18-2.6 Conditions for the granting of certification

(a)-(c) (No change.)

(d) For sampling conducted for conformance with the PWTA, a phase-in period may be available during which a laboratory or its authorized representative may continue to collect samples for analysis of a parameter in which it holds certification. To qualify for the phase-in period, the laboratory shall satisfy the requirements listed below.

1. Within 90 days of (the operative date of these amendments), the laboratory shall submit an administratively complete application to the Department pursuant to N.J.A.C. 7:18-2.5. When the Department determines that the application is administratively complete, it will provide the laboratory with temporary approval to collect samples for PWTA purposes. The laboratory or its authorized representative may continue collecting samples for PWTA purposes while the temporary approval is in effect until one of the following occurs:

i. The Department issues a certification and Annual Certified Parameter List pursuant to (b) above;

ii. The laboratory fails to satisfy the requirements for certification within the time specified in (d)2 below; or

iii. The Department denies the certification.

2. Within 90 days after submitting the application under (d)1 above, the laboratory shall satisfy all requirements for certification under (a) above. If the laboratory satisfies all of the requirements except the requirement for an on-site audit, and the on-site audit requirement has not been satisfied because the Department has not scheduled the audit, the temporary approval shall remain in effect until an event listed in (d)1i or 1iii occurs.

3. If a laboratory fails to submit an administratively complete application within the time allotted in (d)1 above or if the temporary approval expires under (d)1i or iii above, the phase-in period is forfeited. The laboratory and/or its authorized representative shall discontinue all sampling activities conducted for PWTA purposes. Thereafter, the laboratory shall follow the regular procedure for obtaining certification in accordance with N.J.A.C. 7:18-2.5.

7:18-2.9 Fees

(a)-(g) (No change.)

(h) The modification fee of $236.00 specified at (b) above does not apply to those laboratories modifying their existing certification to obtain certification in sampling activities, for conformance with the PWTA during the time period specified at N.J.A.C. 7:18-2.6(d)1.

7:18-2.11 Duties of environmental laboratory personnel

(a) In its quality assurance/quality control manual maintained pursuant to N.J.A.C. 7:18-4.5, 5.5, 6.6, 7.7, and 8.4, a certified environmental laboratory shall include duties of the manager, all supervisors, and the quality control officer.

1. The duties of the manager include, but are not limited to the following:

i. (No change.)

ii. The manger shall assure that all laboratory personnel meet the applicable requirements of N.J.A.C. 7:18-2.10(b) for their classification; [and]

iii. The manager or designee thereof shall sign reports of analytical data. The laboratory shall inform the Department of the designee's name and authority to sign reports[.]**; and**

iv. The manager or designee assigned in (a)1iii above, shall obtain a Personal Identification Number from the Department, as specified at N.J.A.C. 7:18-1.9(c), for the electronic submittal of data required under the statutes listed at N.J.A.C. 7:18-1.1(c). Submission of data using that PIN certifies that the manager or assigned designee believes that the submitted information is true, accurate, complete and generated according to the procedures contained in N.J.A.C. 7:18.

2.-3. (No change.)

SUBCHAPTER 4. MICROBIOLOGICAL TESTING

7:18-4.1 Scope

(a) This subchapter applies to certified environmental laboratories when performing microbiological testing on regulatory samples, and to other laboratories performing microbiological testing on PE samples to become certified. This subchapter applies to microbiological testing for parameters in the following categories:

1. Drinking Water Program**, including testing conducted under the Private Well Testing Act**, - Category SDW01, Microbiological Parameters;

2.-3. (No change.)

7:18-4.6 Requirements for records and data reporting

(a)-(l) (No change.)

(m) When the laboratory determines the presence of total coliform in a sample collected for conformance with the PWTA, the laboratory shall:

1. Conduct a coliform verification test for Fecal coliform or *E. Coli* on the same sample culture that the total coliform positive was determined; and

2. Where the presence of Fecal coliform or *E. Coli* is detected in accordance with (m)1 above, the laboratory shall notify both the client requesting such analysis and the local health authority within 24 hours or the next business day, whichever is sooner.

SUBCHAPTER 5. CHEMICAL TESTING

7:18-5.1 Scope

(a) This subchapter applies to certified environmental laboratories when performing chemical testing on regulatory samples, and to other laboratories performing chemical testing on PE samples to become certified. This subchapter applies to chemical testing for parameters in the following categories:

1. Drinking Water Program**, including testing conducted under the Private Well Testing Act:**

i.- iv. (No change.)

2.-4. (No change.)

(b) (No change.)

7:18-5.6. Requirements for records and data reporting

(a)-(h) (No change.)

(i) When the laboratory determines that the concentration of nitrate, nitrite, or nitrate/nitrite in a regulatory drinking water sample exceeds the MCL, the laboratory shall notify the affected parties as follows:

1. For non-transient non-community and transient non-community water systems, the laboratory shall notify the water purveyor and the municipal health agency (or, if there is no municipal health agency for the municipality in question, the county health agency) within 24 hours or during the next business day; [or]
2. For community water systems, the laboratory shall notify the water system's superintendent and the Department's Bureau of Safe Drinking Water within 24 hours or during the next business day[.] **or**
3. **For testing conducted in conformance with the PWTA, the laboratory shall notify both the client requesting such analysis and the local health authority within 24 hours or during the next business day, whichever is sooner.**

(j)-(m) (No change.)

SUBCHAPTER 6. RADIOCHEMICAL TESTING PROCEDURES INCLUDING RADON GAS/RADON PROGENY

7:18-6.1 Scope

(a) This subchapter applies to certified environmental laboratories when performing radiochemical testing or radon/radon progeny-in-air testing on regulatory samples, and to other laboratories performing radiochemical testing or radon/radon progeny in-air testing on PE samples to become certified. **This subchapter also applies to laboratories performing the 48-Hour Rapid Gross Alpha Test for compliance with the PWTA.** This subchapter applies to radiochemical testing and radon/radon progeny-in-air testing for parameter in the following categories:

1. Drinking water program**, including testing conducted under the Private Well Testing Act**

i. - ii. (No change.)

2.-3. (No change.)

(b) (No change.)

7:18-6.4 Required use of DSAMs

(a) In performing radiochemical analysis of a regulatory sample (including, without limitation, analysis of a PE sample by a laboratory that is applying to become certified), a laboratory shall use only :

1. A DSAM from the applicable Category listed in N.J.A.C. 7:18-6.1(a) for which the laboratory is certified;

2. An applicable ATP approved by the Department pursuant to N.J.A.C. 7:18-2.20 for the laboratory and, if applicable, for the facility in question[.]**; or**

3. USEPA Method 900, Gross Alpha and Beta Radioactivity in Drinking water, for gross alpha testing in screening for the presence of all regulated alpha emitting radionuclides modified as follows:

i. A Thorium-230 standard shall be used as the test calibration standard;

ii. The initial counting of the plancheted sample shall be initiated between 36 to 48 hours from the time of sample collection;

iii. If the calculated value from the initial gross alpha count is less than or equal to five pCi/L, that value shall be reported and no further radiochemical analysis of the sample is required; and

iv. If the gross alpha value from the 36 to 48 hour count exceeds five pCi/L, then the same plancheted sample shall be re-counted between 20 to 28 hours after the initial count; and this calculated value shall be reported as the final gross alpha result.

(b) (No change.)

SUBCHAPTER 8. ANALYZE-IMMEDIATELY ENVIRONMENTAL MEASUREMENTS

7:18-8.1 Scope

(a) This subchapter applies to certified environmental laboratories when performing analyze-immediately environmental measurements on regulatory samples, and to other laboratories performing analyze-immediately-environmental measurements on PE samples to become certified. This subchapter applies to analyze-immediately environmental measurements of parameters in the following categories (including but not limited to chlorine dioxide, dissolved oxygen with probe, pH, ozone, residual chlorine, sulfite and temperature):

1. Drinking Water Program**, including testing conducted under the Private Well Testing Act,**- Category SDW03, Inorganic Parameters, Analyze Immediately (<15 min):

2. - 3. (No change.)

(b)-(c) (No change.)

SUBCHAPTER 9. SAMPLE REQUIREMENTS

7:18-9.1 Scope and general requirements

(a) This subchapter applies to certified environmental laboratories when:

1. Handling and preserving regulatory samples for microbiological, inorganic, organic, radiochemical, and acute toxicity testing;
2. Collecting regulatory samples for acute toxicity testing; [and]
3. Accepting regulatory samples that have been collected, handled or preserved by persons other than the laboratory[.]**;and**
4. **Collecting, handling, preserving and accepting samples for compliance with the PWTA**.

(b)-(c) (No change.)

(d) Samples collected for conformance with the PWTA shall only be collected by an employee or an authorized representative of a certified laboratory, using procedures approved by the Department as indicated on the ACPL of a certified laboratory.

7:18-9.2 Requirements for microbiological parameter samples

(a) For regulatory samples that are to be analyzed for microbiological parameters to demonstrate compliance with the drinking water program:

1.-2. (No change.)

3. Collection, handling, **analysis** and preservation of drinking water samples [to be analyzed on behalf of a water purveyor] **for compliance with the statutes listed at N.J.A.C. 7:18-1.1(c)1 and 7** shall adhere to the sampling identification, and transfer procedures described in the latest edition of Standard Methods approved by the USEPA. If there is any conflict between the collection, handling and preservation requirements in Standard Methods and the corresponding requirements in this subchapter, the requirements in Standard Methods shall control.

(b)-(c) (No change.)

7:18-9.4 Requirements for sample handling and preservation for specific parameters.

(a) (No change.)

(b) Drinking water samples shall be handled and preserved in accordance with the requirements of Table 9.1 and the requirements of (b)1 through [5] **12** below. Table 9.1 includes applicable requirements from 40 CFR 141.23, 141.24 and 143.4, and from the USEPA's September 1992 "Labcert Bulletin," EPA-814-k-92-002. If there is any conflict between Table 9.1 and the USEPA rule or publication (including any amendments or supplements) on which any part of Table 9.1 is based, the USEPA rule or publication shall control.

1.-5. (No change.)

6. Sampling location for conformance with the PWTA shall be determined as follows:

i. If there is no water treatment system in use on the subject property, samples shall be collected from a primary cold water, non-aerated spigot or tap, that draws from, or feeds water to the potable water system for the subject property.

ii. Where a water treatment system is in use on the subject property, the water treatment system shall be disconnected or otherwise disabled prior to the collection of the water sample, or the sample shall be collected at a location prior to the water treatment system.

iii. In the case of new well construction where there is no spigot or tap on the subject property, the sample may be collected directly at the well head, as set forth at N.J.A.C. 7:10-12.30.

7. PWTA samples shall be collected in accordance with the following requirements.

i. Collection, handling, and preservation of samples to be analyzed under the PWTA shall adhere to the sampling, identification, and transfer procedures described in the latest edition of Standard Methods approved by the USEPA. If there is any conflict between the collection, handling and preservation requirements in Standard Methods and the corresponding requirements in this subchapter, the requirements in Standard Methods shall control.

ii. Samples taken from any tap or spigot shall be collected by maintaining a steady water flow for at least two minutes (until the water changes temperature). Water taps used for sampling are to be free of aerators, strainers, hose attachments, mixing type faucets, and purification devices.

iii. Where the purposes of testing is to determine whether the source of a contaminant is the water source or the plumbing, a first draw sample shall be collected from an area of the plumbing where the water has been motionless for at least six hours. These results shall be compared to the result of the analysis of a sample collected in accordance with (b)7ii above.

8. The laboratory shall not report results of analysis to the Department or to any other person unless the original or true duplicate of the results is sent to the client. The report shall be signed by the laboratory manager or designee identified under N.J.A.C. 7:18-2.11(a)1iii.

9. The laboratory shall include the following information in reporting results to the client;

i. The information specified at N.J.A.C. 7:18-4.6(h), 5.6(j), 6.6(f), and 8.5(e) as applicable;

ii. The name and mailing address of the person or persons making the request for the test;

iii. The name of the employee or authorized representative of the laboratory who collected the well sample and their certification ID number if applicable;

iv. The location of the real property, described by block and lot number, street address, municipality, and county;

v. The specific point of collection along with a description of the treatment unit if applicable;

vi. The date and time the sample was analyzed by the laboratory;

vii. The MCLs, applicable water quality standard, or action level for each parameter as set forth at N.J.A.C. 7:10-5.1, 5.2 and 7.2

viii. The date that the results will be submitted to the Department and the method by which the results will be transmitted.

ix. A statement that the testing is for the purpose of complying with the PWTA and N.J.A.C. 7:9E;

x. Information, as provided by the Department, regarding remediation funding alternatives available and the location additional information may be obtained; and

xi. Any other information required by N.J.A.C. 7:9E for the submittal of information under the PWTA.

10. The laboratory shall include the following information when reporting the results to the Department.

i. The information required in (b)9. above;

ii. The initial and recounted gross alpha value determined in accordance with N.J.A.C. 7:18-6.4(a)3; and

iii. Any other information required by N.J.A.C. 7:9E for the submittal of information under the PWTA.

11. Results shall be transmitted to the Department within five business days after completion of the water tests as described in N.J.A.C. 7:9E.

12. When required by N.J.A.C. 7:9E, the laboratory shall electronically submit the information specified in (b)10 above.

i. Where data submitted for the PWTA is rejected by the Department because of a failure to submit all information required above, the laboratory shall resubmit a complete set of data to the Department and to the person(s) who requested the test, within two (2) business days of receipt of notification.

Table 9.1

(No change.)

(c) (No change.)

(d) Drinking water samples that are to be subject to radiochemical measurements shall be handled and preserved in accordance with the requirements of Table 9.3 and the requirements of 1 below. Table 9.3 includes requirements from the USEPA's Manual for the Certification of Laboratories Analyzing Drinking Water, USEPA-814B-92-002. If there is any conflict between Table 9.3 and the USEPA publication (including any amendments or supplements) on which any part of Table 9.3 is based, the USEPA rule or publication shall control. The laboratory shall make radiochemical measurements using the instrumentation required under Table 9.3. In the list of required instrumentation in Table 9.3, "A" means a low background proportional system; "B" means an alpha scintillation system; "C" means a gamma spectrometer (NaI(Tl) or Ge (Li)); "D" means a scintillation cell (radon) system; "E" means a liquid scintillation system; and "F" means a fluorometer. [The Department recommends a maximum holding time of six months for drinking water samples that are to be subject to radiochemical measurements for any parameter other than radon-222: for radon-222, the Department recommends a maximum holding time of four days.]

1. (No change.)

2. The Department recommends a maximum holding time of six months for drinking water samples that are to be subject to radiochemical measurements for any parameter, except radon-222, radium-224 and the "48 Hour Rapid Gross Alpha Test."

i. For radon-222 and radium 224, the Department recommends a maximum holding time of four days.

ii. For the "48-Hour Rapid Gross Alpha Test" conducted for conformance with the PWTA, the maximum holding time to initial counting of the plancheted sample shall be 48 hours.

TABLE 9.3 REQUIRED CONTAINERS, PRESERVATION TECHNIQUES, AND MAJOR INSTRUMENTATION FOR RADIOCHEMICAL MEASUREMENTS IN DRINKING WATER SAMPLES

Parameter	Preservation	Container ("P" means plastic, hard or soft; "G" means glass, hard or soft.)	Instrumentation
…	…	…	…
Radon-222	Cool 4°C	G	E
48-Hour Rapid Gross Alpha	**Conc HCl or HNO_3 to pH 2[1]**	**P or G**	**A**
Radium (Total)	**Conc HCl or HNO_3 to pH 2[1]**	**P or G**	**A**
Radium-224	**Conc HCl or HNO_3 to pH 2[1]**	**P or G**	**C**

Reference for Table 9.3 (Drinking Water Samples)

[1]If HCl is used to acidify samples that are to be analyzed for gross alpha or gross beta activities, the acid salts shall be converted to nitrate salts before transfer of the samples to planchets.

(e)-(g) (No change.)